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REMARKS

Claims 24-47 are now pending in this application. Claims 45 and 46 have been amended, and claim 47 has been added, by this Amendment.

The Office Action dated December 13, 2004 objected to the drawings and objected to claims 45 and 46 because of informalities. The Office Action also rejected claims 24-46 as being obvious in view of prior art.

Drawings Objection

The Office Action summary sheet states that the drawings filed on August 27, 2002 are objected to by the Examiner, but the grounds for the drawings objection is not set forth in the Office Action. Applicant respectfully submits that the drawings filed in this application should be satisfactory and accepted without objection since they are the same drawings labeled as Figs. 1-3 and filed in the PCT priority application. If the drawings objection is repeated, applicant respectfully requests that the grounds for the objection be specifically stated.

Claim Objections

The objections to claims 45 and 46 are set forth in part 1 on page 2 of the Office Action. The objections relate to typographical errors in claims 45 and 46. Applicant has amended claims 45 and 46 to correct the typographical errors. Although the objection suggested changing "fo" to "to" in claim 46, the correct word is "for" and applicant has amended claim 46 accordingly.

Obviousness Rejection

The grounds for the obviousness rejection of claims 24-46 is set forth in part 3 on pages 2-13 of the Office Action. Specifically, the obviousness rejection asserts that the claims are rendered obvious by U.S. Patent No. 5,491,837 to Haartsen in view of U.S. Patent No. 6,144,861 to Sundelin et al and U.S. Patent No. 5,594,949 to Andersson et al. Applicant respectfully traverses the rejection at least because it fails to make a prima facie showing that the applied references suggest a method having each and every one of the combination of features recited in the claims.

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For example, independent claim 24 is directed to a method for reporting link information in which a communication terminal periodically transmits link messages, each link message containing link information for a first set of the communication links, and the link messages "being formatted in accordance with a predetermined scheme such that groups of successive link messages collectively contain link information for a set of communication links larger than the first set of communication links". Exemplary, non-limiting, examples are described in the specification. These examples permit reducing the frequency with which link messages are sent by sending successive data for different sets of cells.

Applicant respectfully submits that the applied references do not suggest a method having all of these features recited in independent claim 24, and thus included in claims 25-44 dependent on claim 24. Independent claim 45 recites substantially the same features as claim 24 but is directed to a communication comprising link message forming means rather than a method. Independent claim 46 also recites substantially the same features as claim 24 but is directed to a communication terminal comprising message generation means capable of generating a series of measurement messages.

The rejection acknowledges that Haartsen does not include all of the features recited in claim 24, but asserts that it would be obvious for the skilled person to "apply the technique in Andersson to the modified system of Sundelin and Haartsen in order to estimate the interference on unused downlink channels prior to allocating channel for a new call between a mobile station and a base station in a cellular telephone system." (see page 4, lines 8-11, of the Office Action). The rejection fails to establish the motivation for the proposed combination, and moreover, fails to show that the proposed combination would result in the claimed invention.

First, as stated in the rejection, the technique described in the Andersson patent relates to the allocation of downlink communications channels, and to interference estimates used for the allocation. The rejection cites passages in columns 4, 5 and 6 of the Andersson patent that describe the frequency reuse scheme illustrated in Fig. 2. The rejection does not point to any passage in the Andersson patent as motivation supporting the assertion that one of ordinary skill in the art would modify Haartsen. Even if the discussion located at col. 1, line 62, to col. 2, line 23, of the Andersson patent could be considered to be a teaching of when improvements should be made to the prior art, the rejection fails to establish a *prima facie* case that such teaching is

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applicable to Haartsen.

Secondly, the allocation of downlink communication channels and the use of interference estimates in Haartsen according to the frequency reuse scheme illustrated in Fig. 2 of Andersson would not result in the claimed invention. Claim 24 recites link messages "formatted in accordance with a predetermined scheme such that groups of successive link messages collectively contain link information for a set of communication links larger than the first set of communication links." Even if the reported measurements in Andersson were considered to be link messages containing link information for a first set of communication links, and even if Haartsen were for some reason modified to include such reported measurements, it still would not result in the claimed feature of messages "formatted in accordance with a predetermined scheme such that groups of successive link messages collectively contain link information for a set of communication links larger than the first set of communication links."

Consequently, none of the rejected claims are suggested by the applied references at least for these reasons. One of ordinary skill in the art would neither combine the cited documents as suggested to obtain a method of reporting link information as claimed in claim 24, nor would the resulting combination contain all of the features recited in the rejected claims.

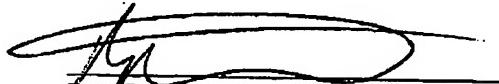
Claim 47

Newly added claim 47 is an independent claim direct to a control unit. Claim 47 recites substantially the same features as claim 24 and is submitted to be allowable for at least the same reasons set forth above.

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Please charge the fee of \$200 for an additional independent claim, and any other fees necessary for the full consideration of this paper, including extension of time fees, to Deposit Account No. 02-4270 (6173/4012US) and please credit any excess fees to such deposit account.

Respectfully Submitted,



Ray Frewirth, Reg. No. 52,918
BROWN RAYSMAN MILLSTEIN
FELDER & STEINER LLP
900 Third Avenue
New York, NY 10022
Tel: (212) 895-2000
Fax: (212) 895-2900